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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

TRINITY INVESTMENTS LIMITED,

Plaintiff,

v.

14 Civ. 10016 (TPG)

THE REPUBLIC OF ARGENTINA,

Defendant.

DECLARATION OF ANTHONY J. COSTANTINI IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT

I, ANTHONY J. COSTANTINI, pursuant to 28 U.S.C. § 1746(2), declare as follows:

- 1. I am a member of the law firm of Duane Morris LLP, counsel to the plaintiff
 Trinity Investments Limited ("Trinity" or "Plaintiff") in the above-captioned action.
- 2. I submit this declaration in support of Plaintiff's Motion for Partial Summary Judgment.
 - 3. I have knowledge of the facts in this Declaration.
 - 4. Trinity is the beneficial owner of certain bonds issued by defendant Republic of

Argentina ("Argentina"), pursuant to the Fiscal Agency Agreement dated October 19, 1994 (the "1994 FAA"), attached as Exhibit 1 to the Cohen Declaration, bearing the following International Securities Identifications Numbers ("ISINs") and in the following principal amounts:

ISIN	Principal Amount
US040114AN02	\$1,014,000.00
US040114AR16	\$268,000.00
US040114AV28	\$25,000.00
US040114BE93	\$750,000.00
US040114GA27	\$500,000.00
US040114GF14	\$2,431,000.00
US040114GG96	\$250,000.00
US040114GH79	\$1,100,000.00

A record of Trinity's holdings of 1994 FAA bonds is attached as Exhibit B to the Complaint dated December 18, 2014.

- 5. Argentina has not made any principal or interest payments on the 1994 FAA bonds since December 2001.
- 6. On July 29, 2014, Plaintiff brought an action against Argentina in this Court based, *inter alia*, on Argentina's failure to pay principal and interest on bonds issued by

The "Cohen Declaration" or "Cohen Decl." referenced herein means the Declaration of Robert A. Cohen dated February 3, 2015, and all attached exhibits, filed in *NML Capital*, *Ltd. v. Republic of Argentina*, 14 civ. 8601 (TPG) (D.E. # 9), which is incorporated by reference in this Motion.

Argentina, including Plaintiff's 1994 FAA bonds.

- 7. Plaintiff also seeks relief under the *pari passu* clause of the 1994 FAA, Cohen Decl. Ex. 1, at $\P1(c)$.
 - 8. Plaintiff did not participate in Argentina's 2005 or 2010 Bond Exchange.

ANTHONY & COSTANTINI

Dated: New York, New York February 26, 2015